

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

CIVIL NO. 5:04CV167

ERIC LAWRENCE CALL,)	
)	
Petitioner,)	
)	
Vs.)	<u>O R D E R</u>
)	
MARVIN POLK, Warden, Central)	
Prison, Raleigh, North Carolina,)	
)	
Respondent.)	
)	

THIS MATTER is before the Court on the Petitioner's second motion to hold the case in abeyance pending the Supreme Court's decision in *Oregon v. Guzek*.

On review of the motion, the Court finds that Respondent should file response.

IT IS, THEREFORE, ORDERED that the Respondent file response to the above motion on or before July 15, 2005.

Signed: July 5, 2005



Lacy H. Thornburg
United States District Judge

